

**UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF TEXAS
HOUSTON DIVISION**

UNITED STATES OF AMERICA	§	
	§	
v.	§	CRIMINAL ACTION H-07-513-1
	§	
RHONDA FLEMING	§	

ORDER

Pending before the Court is defendant's *pro se* letter motion seeking compassionate release (Docket Entry No. 1190). Defendant seeks release from federal incarceration and a transfer to home confinement due to the COVID-19 pandemic and her age (54 years) and ethnicity (African American). She also alleges she underwent intestinal surgery at some undisclosed point. According to defendant, these factors put her at a higher risk regarding COVID-19.

The Court is not persuaded by defendant's generalized arguments, nor has she provided this Court any relevant medical records supporting her claim of having a high-risk medical condition. She establishes no "extraordinary or compelling reasons" justifying her transfer to home confinement or for any other relief under the compassionate release statute.

Regardless, the Court notes that, on August 1, 2019, the Fifth Circuit Court of Appeals imposed a \$200 sanction against defendant for her abusive, frivolous litigation and ordered her

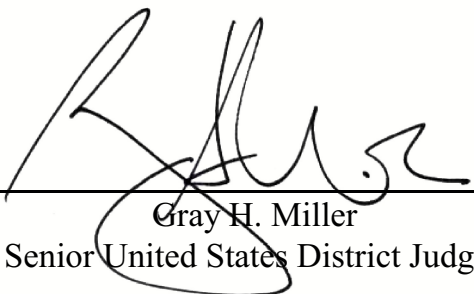
BARRED from filing in this court or any court subject to this court's jurisdiction any pleadings that challenge her convictions, sentence, *or continued incarceration* until the sanction is paid in full, unless she first obtains leave of the court in which she seeks to file such a pleading.

In re: Rhonda Fleming, No. 19-20128 (5th Cir. Aug. 1, 2019) (original capitalization, italics added).

Defendant's letter motion here challenges her continued incarceration, and seeks release from that incarceration. The Fifth Circuit Court of Appeals' docket does not show that defendant has paid the \$200 sanction.

Defendant's letter motion (Docket Entry No. 1190) is DISMISSED WITHOUT PREJUDICE as BARRED by the Fifth Circuit Court of Appeals' order of August 1, 2019. To the extent defendant is requesting leave to file her letter motion in lieu of paying the monetary sanction, the request is DENIED.

Signed at Houston, Texas on May 29, 2020.



Gray H. Miller
Senior United States District Judge